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PATENT
DOCKET 6339

#11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Janie McKittrick

Serial No.: 09/073,643

Filed: May 6, 1998 Group Art Unit: 3671

Title: GARDEN TOOL HAVING
ENHANCED LEVERAGE Examiner: H. Shackelford

**Petition for Revival of an Application for Patent
Abandoned Unintentionally Under 37 CFR §1.137(b)**

RECEIVED

Assistant Commissioner for Patents
Washington D.C. 20231

MAR 14 2000

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Dear Sir:

Applicant hereby petitions for the revival of the above-identified patent application which was unintentionally abandoned under 37 CFR §1.137(b).

1. This application became abandoned on July 21, 1999 for failure to respond to the final Office Action mailed April 21, 1999.

Express Mail mailing label number EL501537633US

Date of Deposit March 10, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington D.C. 20231

Brian Ballard

Name

Signature

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3. The entire delay from the due date for the response to the April 21, 1999 Office Action until the filing of a grantable petition under 37 CFR 1.37(b)(3) was unintentional.
4. The proposed response:

 - has been filed.
 - is attached.
 - The response is the filing of a continuation application having an express abandonment conditioned on the granting of a filing date to the continuing application copending with this application.
5. Fee under 37 CFR 1.17(m):

 - Small business entity—fee \$605.00
 - A verified statement is attached.
 - A verified statement was filed in the subject application.
 - Other than small entity—fee \$1,210.00
6. Payment of fee:

 - Enclosed please find a check in the amount of \$605.00.
 - Charge Deposit Account 04-1420 for any additional fee(s) required.
 - Charge Deposit Account 04-1420 the sum of \$_____ .00. A duplicate of this petition is attached.
7. Verification

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that

these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,
Janie McKittrick

Date: 10 March 00

By Theresa K. Hankes

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